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Identical letters dated 25 June 2015 from the Permanent Representatives of Morocco and Spain to the United Nations addressed to the Secretary-General, the President of the General Assembly and the President of the Security Council

We have the honour to transmit herewith the summary and operational conclusions of the seminar on the role of regional and subregional organizations in mediation in the Mediterranean, which took place in Madrid on 17 March 2015, in the framework of the joint Moroccan-Spanish initiative on mediation in the Mediterranean, as part of the implementation of its action plan, and with a view to contributing to the implementation of General Assembly resolution 68/303 on mediation and regional organizations (see annex).

The conclusions underlined the importance of mediation in the peaceful settlement of conflicts and recalled the context of the inception of the initiative on mediation in the Mediterranean and the various activities undertaken since the launching of the initiative, which has served for more than three years as a forum for debate and cooperation, in which regional organizations have actively taken part.

We should be grateful if you would have the present letter and its annex circulated as a document of the General Assembly, under agenda item 32, and of the Security Council.

(*Signed*) Omar **Hilale**
Ambassador
Permanent Representative of Morocco
to the United Nations

(*Signed*) Román **Oyarzun**
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Annex to the identical letters dated 25 June 2015 from the Permanent Representatives of Morocco and Spain addressed to the Secretary-General, the President of the General Assembly and the President of the Security Council

Seminar on the role of regional and subregional organizations in mediation in the Mediterranean (Madrid, 17 March 2015)

Summary and operational conclusions

I. Introduction

The seminar on "The role of Regional and Sub-regional Organizations in Mediation in the Mediterranean" took place in Madrid, on 17th March 2015, in the framework of the implementation of the action plan of the joint Moroccan-Spanish initiative on the promotion of mediation in the Mediterranean and in contribution to the implementation of the latest United Nations General Assembly resolution, (RES 68/303) on mediation and *regional* organizations.

The Seminar was jointly opened by the Secretary of State for Foreign Affairs of Spain, Mr. Ignacio Ybáñez Rubio and the Director General for United Nations and International Organizations of Morocco, Mr. Azzedine Farhane. It was divided in three Sessions co-chaired by Mr. Francisco Javier Sanabria Valderrama, Director General for United Nations and Human Rights (Ministry of Foreign Affairs of Spain) and Mr. Azzeddine Farhane.

The co-chairs underlined the importance of mediation in the pacific settlement of conflicts and *recalled* the context of Med/Med initiative inception and the various activities undertaken since the launching of this initiative which has served for more than three years as a forum for debate and cooperation to which regional organizations have actively taken part.

They also underlined that since its inception, the Mediation in the Mediterranean initiative has always focused on supporting the efforts made by the United Nations General Assembly and by the UNSG to strengthen the role of mediation as a means of conflict prevention and resolution in the Mediterranean region.

The seminar brought together representatives from Regional and Sub-regional Organizations *participating* in the Med/Med Initiative (UfM, EU, OSCE, LAS, UMA) were present and actively contributed to the debates. Several Member States and UN bodies (Mediation Support Unit of the Department of Political Affairs, UNDP and UN Alliance of Civilizations) were also represented at the seminar.

Participants addressed the normative framework that regulates the role of regional and subregional organizations in the mediation process and defined the extent to which the UN General Assembly resolutions complement the provisions of the UN charter regarding the role of regional and subregional organizations. They also explored ways and means to implement resolution 68/303 adopted by the General Assembly in July 2014 and build partnerships to strengthen cooperation and mechanisms for cooperation among regional and sub-regional organizations, on one part, and between the UN and these organizations on the other part.

II. Summary of the sessions

Session I was moderated by the Director of the Rabat based Center for Studies and Research in Social Sciences (CERSS), Mr. Abdallah Saaf. Under a legal perspective, participants examined the potential of mediation to tackle the threats to peace and security the international community is facing today. Discussions can be summarized in the following points:

The UN Charter provides an appropriate legal framework. While Chapter VI refers to mediation as one of the means of pacific settlement of disputes, Chapter VIII paves the way for regional organizations to play a major role in the maintenance of international peace and security (although at the time of the adoption of the Charter only the League of Arab States existed as a regional organization).

The UNGA resolutions and SG reports on mediation are already part of the acquis in the matter. In this context, Member States and Regional and Sub-regional Organizations may play a decisive role in the implementation of the recommendations of the UNGA and the SG, particularly through the Group of Friends of Mediation and regional initiatives such as Med/Med.

Mediation often implies different activities at different levels of interaction. In this context, the UN Guidance for Effective Mediation set out a framework of recommendations that should be taken into account in mediation processes of different kind.

The proximity of Regional and Sub-regional Organizations to regional culture and local realities might be helpful to identify local actors for mediation among authorities, especially due to the complexity of nowadays challenges, religious leaders or civil society. *However*, proximity might occasionally become an obstacle to impartiality, which is One of the main requisites for an efficient mediation.

A growing trend among different UN bodies to enhance the role of mediation. For. instance, the UN Security Council has recently underscored its preventive role in UNSC Resolution 2171 (2014) (Maintenance of Peace and Security — Conflict prevention). UN Security Council mandates of Peacekeeping Operations and Special Political Missions should strengthen the role of mediation as a decisive means of conflict prevention and conflict resolution.

The review processes currently being undertaken (notably the review of peace operations, of the peace-building architecture and of UNSC Res. 1325 (2000) — Women, Peace and Security) should also lead to the recognition of a stronger role to mediation and conflict prevention.

Most part of the budget of the Mediation Support Unit in the Department of Political Affairs comes from voluntary contributions by Member States. Even though the increasing role of preventive diplomacy is highly recognized, the budget allocated to prevention is still very small in comparison with that of Peacekeeping or humanitarian assistance.

Mediation and preventive diplomacy have proven to be cost effective under an economic point of view, taking into account existing studies about the cost of

conflict and post conflict recovery, prevention stands as a good investment and an opportunity to save public expenditure.

Development practitioners are gradually taking a conflict sensitive approach in this context. Post-2015 Agenda may reflect this trend in the Sustainable Development Goals, where the interest in conflict prevention has notably increased.

Session II was moderated by Ambassador Eduardo López Busquets (Director of Casa Arabe, the institution where the seminar was held). Participants stressed the need to enhance the capacities of Regional and Sub-regional Organizations in mediation. Discussions could be summarized in the following points:

The need to establish focal points for Mediation in all Regional and Sub-regional Organizations in the Mediterranean came up repeatedly during this session.

Most Regional and Sub-regional Organizations have been practicing mediation since decades. However, the creation of Mediation Support Units may increase the coherence of their efforts and multiply their capacity of interaction as well as the impact of the actions that can be achieved.

A broader concept of mediation support is required in order to reinforce the capacities of Regional and Sub-regional Organizations. This support may come not only through mediation itself but also through political statements, financial means and technical support. Regional Organizations such as the EU are already providing this kind of support to others such as the African Union, ECOWAS and the League of Arab States.

This supportive role may well complement the role of the UN increasing the coherence of the whole global process. A good example of this cooperation may be found in the experience of the Mali peace process where there is a leading mediator institution supported by a team of organizations that complement the role of the leader in areas such as warning system, capacity building, reconciliation process and facilitation of the ownership of the process by the parties.

Any capacity building project should be addressed at the appropriate decision making level. In this context, Regional and Sub-regional Organizations hold a privileged position to identify local idiosyncrasies.

The Mediterranean region includes varied areas where many different sorts of conflicts and regional disputes may arise. Nevertheless, fragmentation of parties in a conflict and disputes seems to be a characteristic that could be applied to the whole Middle East and North Africa (MENA) and Sahel region. Regional and Sub Regional Organizations may help to create more unity among the players.

The most important factor for the success of a mediation process is probably the *international* unity among the mediator. Regional powers sometimes have a decisive leverage on the parties in conflict. At the same time, the role of like-minded countries supporting the mediation efforts of a regional organization should not be neglected.

The role of different actors in the mediation team may change during a mediation process. A certain regional organization may play a leading role at one stage and a different one at the following.

Med/Med initiative has always focused on training, gender perspective and identifying a catalogue of conflicts and a roster of mediators with regional expertise according to its pragmatic approach. Research on who are the actors on the ground that could be included in a mediation process should be encouraged.

Effective management of diversity is considered to be a crucial aspect of conflict prevention. The whole Mediterranean region is full of regional and national experiences about successful management of diversity that could be shared among Regional and Sub-regional Organizations and Member States participating in the Initiative.

The importance of promoting the role of women in mediation within the regional and subregional organizations while underlining the need and importance of training with a view to setting up a roster of women specialized in mediation within the regional and sub-regional organizations.

The results of the Workshop on Mediation and Conflict Resolution under a Gender Perspective that was held in Rabat in October 2014 were welcomed by the participants, especially that this workshop was dedicated to train Mediterranean women to be as part of the UN and other regional and sub-regional organizations mediation roster. Information about the outcome of this Workshop was distributed among participants and attached to the conclusions of this Seminar.

Session III was moderated by Ambassador Emilio Cassinello (Director of the Toledo International Center for Peace, CITpax) and participants discussed the need to establish cooperation among Regional and Sub-regional Organizations and with the UN. Discussions could be summarized in the following points:

Duplication of efforts and competition between different organizations to take the lead in a mediation process should be avoided. On the other hand, participants emphasized the importance and advantages of developing synergies, exchanging views, sharing information and lessons-learned to succeed in their mediation efforts.

Coordination in the process of mediators training should be reinforced, in this context, the UN already plays a leading role but there is need to increase coordination in capacity building from an operational point of view.

The mediation process should be under the aegis of United Nations which stands as a mediation Umbrella for all Regional and Sub-regional Organizations mediation activities for achieving compromise as a prerequisite for the success of mediation.

The importance of optimizing mediation processes through coordination between regional and sub-regional organizations and national and local mediators.

Other issues of general nature were also discussed such as the limits of mediation. While there are obvious limits in mediation when the parties in the

conflict include actors such as ISIL/DAESH, spaces for dialogue should be kept open. Sometimes dialogue is needed just for getting an assessment of the situation. In general terms, the mediation space should be preserved and protected even in cases in which mediation is not the right tool, just in case conditions change.

Participants also welcome the information provided by the representative of the EU about a seminar about the role of worldwide regional organizations in mediation that will take place in May.

Participants also hailed the role of the UN and the OSCE in mediation, and in particular encouraged regional and sub-organizations to take advantage from the experience and know-how of these organizations.

Participants hoped the conclusions of this seminar could be reported in the UN upcoming UNSG report on Mediation and mentioned in the UNGA resolution on mediation.

III. Operational conclusions

1. Member States and Regional and Sub-regional Organizations should actively contribute to the implementation of the recommendations of UNGA resolutions and the UNSG reports on mediation, particularly through the Group of Friends of Mediation and regional initiatives such as Med/Med.

2. The proximity of Regional and Sub-regional Organizations to regional culture and local realities should be used to identify local actors for mediation among authorities, religious leaders or civil society.

3. Research on who are the actors on the ground that could be included in a mediation process should be encouraged.

4. Even though the increasing role of preventive diplomacy is highly recognized, the budget allocated to prevention is still very small in comparison with that of Peacekeeping or humanitarian assistance.

5. Conflict prevention and mediation should be placed among the priorities of the post-2015 Agenda and the Sustainable Development Goals. This could help development practitioners to hold a conflict sensitive approach.

6. Regional and Sub-regional Organizations in the Mediterranean should establish focal points for Mediation with a view to creating an optimal synergy in mediation.

7. The creation of Mediation Support Units inside Regional and Sub-regional Organizations should be promoted as it increases the coherence and multiplies their capacity of interaction as well as the impact of the actions that can be achieved.

8. In order to reinforce the capacities of Regional and Sub-regional Organizations a broader concept of mediation support is needed. This support may come not only through mediation itself but also through political statements, financial means and technical support.

9. Any capacity building project should be addressed at the appropriate decision making level. In this context, Regional and Sub-regional Organizations hold a privileged position to identify local idiosyncrasies.

10. Fragmentation of parties in a conflict appears to be a characteristic that could be applied to the *whole* MENA region. Regional and Sub Regional *Organizations* may help to create more unity among the players.

11. Regional and Sub-regional Organizations should seek the support of like-minded countries to their mediation efforts and should encourage regional powers to use their decisive leverage on the parties in conflict.

12. Mediation teams should be ready to interact in an increasingly complex environment and hold a flexible approach to the mediation process. A certain regional organization may play a leading role at one stage of the process and a different one at the following.

13. The role of women in mediation should be promoted within the regional and sub-regional organizations while underlining the need and importance of training with a view to setting up a roster of women specialized in mediation within the regional and sub-regional organizations.

14. Duplication of efforts and competition between different organizations to take the lead in a mediation process should be avoided.

15. Regional and Sub-regional Organizations should develop synergies, exchange views and share information and lessons-learned to succeed in their mediation efforts. In this regard, the participants underlined the importance of mediation in post conflict situations in activities such as SSR, DDR, transitional justice and human development.

16. Coordination in the process of mediators´training should be reinforced. The UN which already plays a leading role should remain the umbrella for each mediation process conducted by Regional and Sub-regional Organizations and other players with the view to achieve compromise as a prerequisite for the success of mediation.

17. Regional and Sub-regional organizations should encourage better coordination with national and local mediators.

18. The conclusions of this seminar will be presented at the UN and the Regional and Subregional Organizations participating in the Initiative.

19. Next MedMed meetings will analyse the implementation of these operational conclusions.